



Farm Labor Contractor - Determining When a Pest Control Business License is Required by a Farm Labor Contractor

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PML Letter PML 01-12

Distribution County Agricultural Commissioners

Approval

David Duncan, Chief
Pest Management and Licensing Branch
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Purpose The purpose of this document is to provide guidance for determining when the Department of Pesticide Regulation (DPR) requires a licensed farm labor contractor (FLC) to possess a valid DPR pest control business (PCB) license.

Background The Department of Industrial Relations issues the farm labor contractor (FLC) license, which allows that qualified person to charge a fee for providing employees to clients, generally growers. These FLC employees may perform a variety of cultural tasks primarily for producing agricultural commodities. These tasks may include pest control.

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Question	When does DPR require a FLC to possess a valid PCB license?
Answer	DPR requires a FLC to possess a valid PCB license before providing to a client, employees that perform pest control under the primary direction and control of that FLC. If the FLC provides to a client, employees that perform pest control under the primary direction and control of the client, DPR does not require the FLC to possess a valid PCB license.
Reference	Refer to Enforcement Letter ENF 01-50 dated November 19, 2001, for guidance in determining if the FLC's client, generally a grower, or the FLC exercises primary direction and control over the pest control activities by the contractor's employees.
Further Questions	Please contact your Senior Pesticide Use Specialist or Liaison with any questions and concerns, or if you desire additional information regarding this issue.
Attachment	Attached you will find a flow chart showing steps in determining when DPR requires a farm labor contractor to possess a pest control business license.
cc:	Mr. Scott T. Paulsen, Enforcement Branch Chief (w/Attachment) Mr. Roy Rutz, Agriculture Program Supervisor III (w/Attachment) Mr. Daniel J. Merkley, Agricultural Commissioner Liaison (w/Attachment) Mr. Mac Takeda, Agriculture Program Supervisor II (w/Attachment) Mr. Victor Acosta, Program Specialist (w/Attachment) Mr. Adolfo Marvin-Gallo, Program Specialist (w/Attachment)

Flowchart for Determining When DPR Requires a Farm Labor Contractor to Possess a Pest Control Business License

